



CITY COUNCIL AGENDA REPORT

MEETING DATE: DECEMBER 6, 2005

ITEM NUMBER:

**SUBJECT: GENERAL PLAN AMENDMENT GP-05-04 AND REZONE R-05-03
380 WEST WILSON STREET**

DATE: NOVEMBER 22, 2005

FROM: DEVELOPMENT SERVICES DEPARTMENT/PLANNING DIVISION

PRESENTATION BY: MEL LEE, AICP SENIOR PLANNER

**FOR FURTHER INFORMATION CONTACT: MEL LEE, AICP SENIOR PLANNER
(714)754-5611**

RECOMMENDATION:

The Planning Commission, on a 5 to 0 vote, recommended that the City Council take the following actions:

1. Adopt attached resolution approving the Initial Study/Negative Declaration and General Plan Amendment, which changes the General Plan land use designation from High Density Residential to General Commercial.
2. Give first reading to the ordinance rezoning the property from R3 (Multiple Family Residential) to C1-S (Shopping Center District).

BACKGROUND:

The subject site is approximately 0.37 acres in size, is designated High Density Residential by the General Plan, and zoned R3, Multiple-Family Residential. The site is bounded to the north by a vacant parcel, to the west by Harbor Center and to the south and northeast by low- and high-density residential developments. Wilson Park is located southeast.

On August 16, 2005, City Council approved a general plan screening request (GPS-05-02) for the property. On November 14, 2005, Planning Commission recommended approval of the general plan amendment and rezone for this property. Additionally, the Commission approved Planning Application PA-05-22 for a conditional use permit to allow a recreational vehicle storage facility for the subject site and the vacant parcel to the north (2300 Harbor Boulevard). Since the Commission is the final review authority for the CUP, no further action on the storage facility is required. No Council action on the parcel to the north is necessary since it is already zoned C1-S and has a general plan land use designation of General Commercial. Commission approval for the CUP was conditioned to not become effective until GP-05-04 and R-05-03 are approved by the Council.

ANALYSIS:

The existing High Density Residential general plan land use designation and R3 (Multiple Family Residential District) zoning for the subject site does not permit the proposed use, necessitating the proposed amendment and rezone.

The general plan amendment and rezone will result in a loss in dwelling unit potential as a result of the rezone (7 units). However, because an equivalent increase in housing is provided elsewhere in the City through other residential projects, no violation in state law will occur. Additional information and analysis are provided in the attached Planning Commission staff report.

In accordance with the California Environmental Quality Act (CEQA), an Initial Study/Negative Declaration (IS/ND) was prepared for the project. The (IS/MND) identified impacts that would be reduced to a level considered less than significant or no impact with appropriate conditions of approval and mitigation measures, if the project is approved. A copy of the Initial Study/Negative Declaration is attached to this report for reference. The Negative Declaration was made available for public review, as required by CEQA.

ALTERNATIVES CONSIDERED:

City Council may consider the following alternatives:

1. Approve the general plan amendment and rezone as recommended by the Planning Commission; or
2. Take no action on the general plan amendment and rezone, and retain the property's current general plan and zoning designations, which would not allow the project approved under PA-05-22 to proceed on this property.

FISCAL REVIEW:

Fiscal review of the subject request is not necessary.

LEGAL REVIEW:

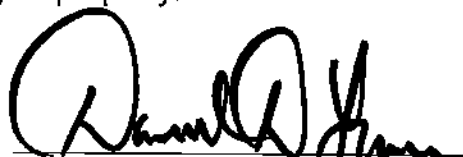
Legal review of the subject request is not necessary.

CONCLUSION:

The Commission determined that the proposed general plan amendment and rezone will allow a development compatible with the uses in the surrounding area, as well as provide a substantial improvement to the subject property.



MEL LEE, AICP
Senior Planner



DONALD D. LAMM, AICP
Deputy City Mgr./Dev. Svs. Director

DISTRIBUTION: City Manager
City Attorney
City Clerk (2)
Staff (4)
File (2)

Mick Meldrum
ICI Development Company, Inc.
2222 E. 17th Street
Santa Ana, CA 92705

Harbor Center Partners, L.P.
2222 E. 17th Street
Santa Ana, CA 92705

- ATTACHMENTS:
1. Draft Ordinance and Exhibits
 2. Draft City Council Resolution and Exhibits
 3. Minutes from Planning Commission Meeting of November 14, 2005
 4. Planning Staff Report
 5. Planning Commission Resolution
 6. Initial Study/Negative Declaration

| | | |
|------------------------------|---------------|----------------|
| File Name: 120605GP0504R0503 | Date 11/21/05 | Time 8:00 a.m. |
|------------------------------|---------------|----------------|

ORDINANCE 05-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA REZONING A PARCEL OF LAND FROM R3 (MULTIPLE FAMILY RESIDENTIAL) TO C1-S (SHOPPING CENTER DISTRICT) BY ADOPTION OF REZONE PETITION R-05-03 FOR 380 WEST WILSON STREET

THE CITY COUNCIL OF THE CITY OF COSTA MESA HEREBY ORDAINS AS FOLLOWS:

SECTION 1: The City of Costa Mesa Official Zoning Map is hereby amended as follows:

There is hereby placed and included in the C1-S zone all of the real property shown on attached Exhibit "1" and described in attached Exhibit "2", as a portion of 380 West Wilson Street, situated in the City of Costa Mesa, County of Orange, State of California.

SECTION 2: Pursuant to the provisions of Section 13-22 of the Costa Mesa Municipal Code, the Official Zoning Map of the City of Costa Mesa is hereby amended by the change of zone described in Section 1 hereof and shown on attached Exhibit "3". A copy of the Official Zoning Map is on file in the office of the Planning Division.

SECTION 3: The proposed rezone was addressed in an Initial Study/Negative Declaration and a Mitigation Monitoring Program, which was processed in accordance with the requirements of the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, which reflect the independent judgment of the City of Costa Mesa, and was available for public review from October 24, 2005, to November 14, 2005, as required by CEQA.

SECTION 4: Inconsistencies. Any provision of the Costa Mesa Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to affect the provisions of this Ordinance.

SECTION 5: Severability. If any provision or clause of this ordinance or the application thereof to any person or circumstances is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other provisions or clauses or applications of this ordinance which can be implemented

without the invalid provision, clause or application; and to this end, the provisions of this ordinance are declared to be severable.

SECTION 6: Publication. This Ordinance shall take effect and be in full force thirty (30) days from and after the passage thereof, and prior to the expiration of fifteen (15) days from its passage shall be published once in the ORANGE COAST DAILY PILOT, a newspaper of general circulation, printed and published in the City of Costa Mesa or, in the alternative, the City Clerk may cause to be published a summary of this Ordinance and a certified copy of the text of this Ordinance shall be posted in the office of the City Clerk five (5) days prior to the date of adoption of this Ordinance, and Within fifteen (15) days after adoption, the City Clerk shall cause to be published the aforementioned summary and shall post in the office of the City Clerk a certified copy of this Ordinance together with the names and member of the City Council voting for and against the same.

PASSED AND ADOPTED this 6th day of December, 2005.

Mayor of the City of Costa Mesa

ATTEST:

APPROVED AS TO FORM:

Deputy City Clerk of the City of
Costa Mesa

City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE)ss
CITY OF COSTA MESA)

I, JULIE FOLCIK, Deputy City Clerk and ex-officio Clerk of the City Council of the City of Costa Mesa, hereby certifies that the above and foregoing Resolution No. _____ was duly and regularly passed and adopted by the said City Council at a regular meeting thereof held on the _____ day of _____, 2005.

IN WITNESS WHEREOF, I have herby set my hand and affixed the Seal of the City of Costa Mesa this _____ day of _____, 2005.

Deputy City Clerk and ex-officio Clerk of the
City Council of the City of Costa Mesa

PROPOSED REZONE MAP (R3 TO C1-S)

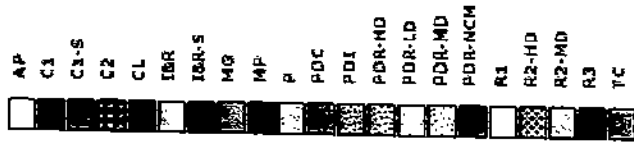
R-05-03 - 380 W. WILSON ST.

Legend

Street Names

Parcel Lines

Zoning



Parcels

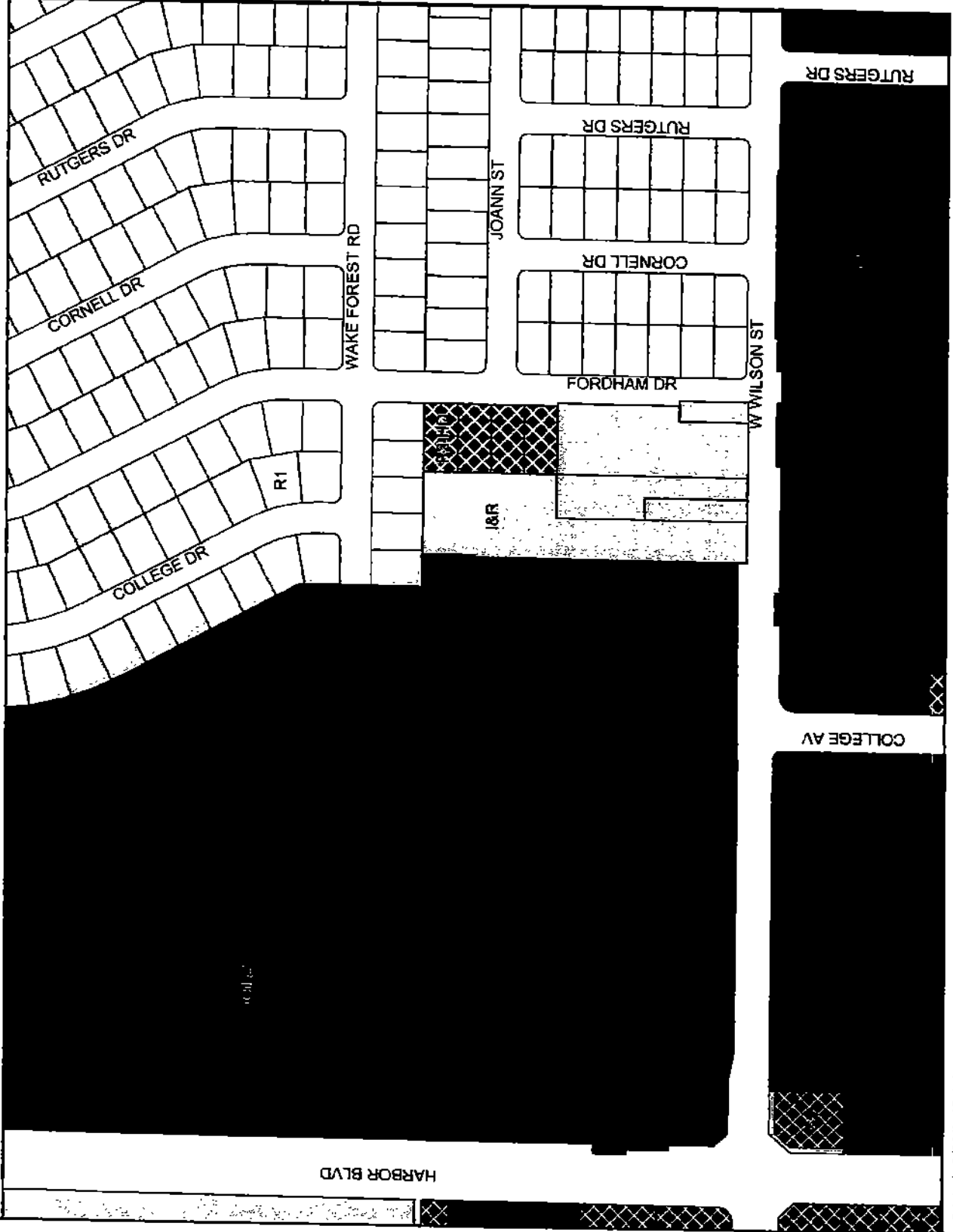


EXHIBIT "2"

| ZONING DISTRICT | ADDRESS |
|---------------------------------|--|
| C1-S (Shopping Center District) | 380 West Wilson Street, situated in the City of Costa Mesa, County of Orange, State of California, further described per attached Exhibit "2A" |

EXHIBIT "2A"

Legal Description for 380 Wilson

PARCEL A:

Lot 2 of Tract No. 10864, in the City of Costa Mesa, as shown on a map recorded in book 471, page(s) 47 and 48, of Miscellaneous Maps, in the office of the County Recorder of said County.

EXCEPTING therefrom an undivided one-half interest in all oil, gas, hydrocarbon and other mineral substances in, on and under said land, as reserved in the deed from Maude Holsinger to Akel Judy Smith, recorded February 5, 1946 in book 1385, page 445, Official Records, in the office of the County Recorder of said County.

PARCEL B:

A Non-exclusive access easement for access, ingress and egress as set forth and defined in that certain Declaration as to access easement recorded March 3, 1998 as Instrument No. 98-0120245, Official Records.

RESOLUTION NO. 05-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA APPROVING GENERAL PLAN AMENDMENT GP-05-04 AMENDING THE LAND USE DESIGNATION FROM HIGH DENSITY RESIDENTIAL TO GENERAL COMMERCIAL FOR 380 WEST WILSON STREET

THE CITY COUNCIL OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, the City Council of the City of Costa Mesa adopted the 2000 General Plan on January 22, 2002;

WHEREAS, the General Plan is a long-range, comprehensive document that serves as a guide for the orderly development of Costa Mesa;

WHEREAS, by its very nature, the General Plan needs to be updated and refined to account for current and future community needs;

WHEREAS, an application was filed by Mick Meldrum/ICI Development Company Inc., authorized agent for Harbor Center Partners, L.P. with respect to the real property located at 380 West Wilson Street, requesting approval to change the General Plan land use designation from High Density Residential to General Commercial and a rezone from R3 (Multiple Family Residential District) to C1-S (Shopping Center District); and

WHEREAS, the City Council of the City of Costa Mesa approved the General Plan screening request for the subject property on August 16, 2005; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on November 14, 2005; and

WHEREAS, the project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and an Initial Study/Negative Declaration and a Mitigation Monitoring Program was prepared, which reflect the independent judgment of the City of Costa Mesa, and was available for public review from October 24, 2005, to November 14, 2005, as required by CEQA; and

WHEREAS, a duly noticed public hearing was held by the City Council on December 6, 2005; and

WHEREAS, the City Council deems it to be in the best interest of the City that said general plan amendment and rezone be adopted.

BE IT RESOLVED that the Costa Mesa City Council does hereby find and determine that, based on the evidence in the record, the City Council hereby **APPROVE** GP-05-04 to change the land use designation on the land use map as shown in "Exhibit A" with respect to the property described above.

BE IT FURTHER RESOLVED that the adoption of GP-05-04 does not affect the future housing inventory in the City's Housing Element, which was used in its certification by the State of California Department of Housing and Community Development in November 2001.

PASSED AND ADOPTED this 6th day of December, 2005.

ATTEST:

Mayor of the City of Costa Mesa

APPROVED AS TO FORM:

Deputy City Clerk of the City of
Costa Mesa

City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE)ss
CITY OF COSTA MESA)

I, JULIE FOLCIK, Deputy City Clerk and ex-officio Clerk of the City Council of the City of Costa Mesa, hereby certifies that the above and foregoing Resolution No. _____ was duly and regularly passed and adopted by the said City Council at a regular meeting thereof held on the _____ day of _____, 2005.

IN WITNESS WHEREOF, I have herby set my hand and affixed the Seal of the City of Costa Mesa this _____ day of _____, 2005.

Deputy City Clerk and ex-officio Clerk of the
City Council of the City of Costa Mesa

PROPOSED GP MAP (HDR TO GEN. COMM.)

GP-05-04 - 380 W. WILSON ST.

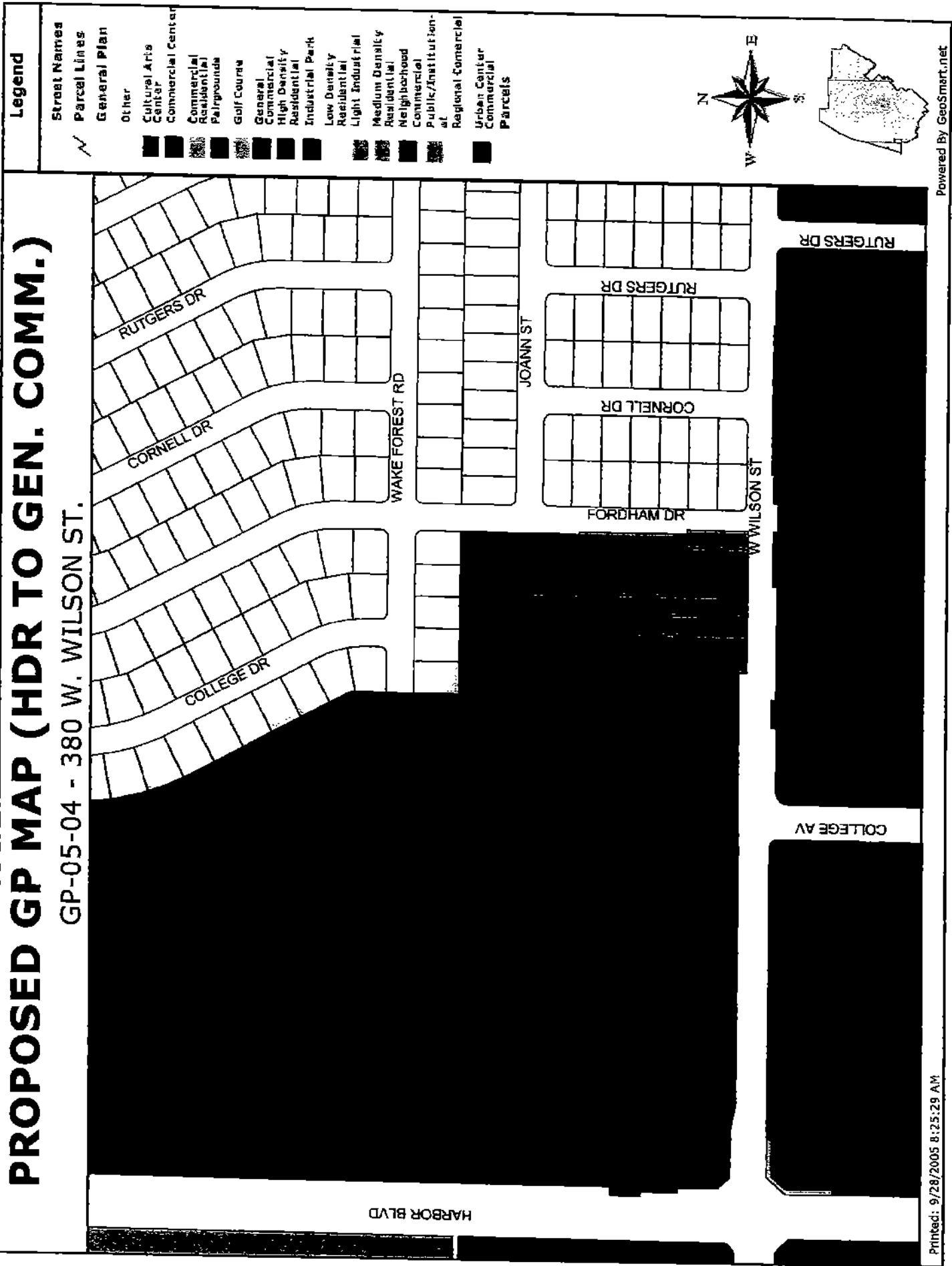


TABLE LU-1: LAND USE DESIGNATIONS (2005)

| Land Use Designation | Residential Density DU/Acre* | Floor Area Ratio | Acres Developed | Acres Undeveloped (1999) | Total Acres | % of City |
|---|---|--|-----------------|----------------------------|----------------|---------------|
| Low-Density Residential | ≤8 | Same as Neighborhood Commercial | 2,168.3 | 1.8 | 2,170.1 | 26.8% |
| Medium-Density Residential ¹ | ≤12 | Same as Neighborhood Commercial | 794.5 | <u>30.7</u> | <u>825.2</u> | <u>10.2%</u> |
| High-Density Residential ¹ | ≤20 ² | Same as Neighborhood Commercial | 836.3 | <u>42.0</u> <u>41.6</u> | 878.3 | 10.8% |
| Commercial-Residential | ≤17.4 | 0.20/High Traffic 0.30/Moderate Traffic 0.40/Low Traffic | 42.6 | 0.9 | 43.5 | 0.5% |
| Neighborhood Commercial | - | 0.15/High Traffic 0.25/Moderate Traffic 0.35/Low Traffic 0.75/Very Low Traffic | 42.4 | 2.5 | 44.9 | 0.6% |
| General Commercial | ≤20 | 0.20/High Traffic 0.30/Moderate Traffic 0.40 Low Traffic 0.75/Very Low Traffic | 610.7 | <u>20.4</u> <u>20.8</u> | 631.1 | 7.8% |
| Commercial Center | ≤20 ≤40 site-specific density for 1901 Newport Blvd ³ | 0.25/High Traffic 0.35/Moderate Traffic 0.45 Low Traffic 0.75/Very Low Traffic 0.70 Site-Specific FAR for 1901 Newport Blvd ³ | 29.4 | 63.3 | 92.7 | 1.2% |
| Regional Commercial | ≤20 | 0.65/0.89 ⁴ | 114.7 | 0.0 | 114.7 | 1.4% |
| Urban Center Commercial | ≤20 | 0.50 Retail 0.60 Office 0.79 Site-Specific FAR for So.Coast Metro Center ⁵ | 134.2 | 26.2 | 160.4 | 2.0% |
| Cultural Arts Center | - | 1.77 | 49.0 | 5.0 | 54.0 | 0.7% |
| Industrial Park | ≤20 | 0.20/High Traffic 0.30/Moderate Traffic 0.40/Low Traffic 0.75/Very Low Traffic | 696.5 | 17.7 | 714.2 | 8.8% |
| Light Industry | ≤20 | 0.15/High Traffic 0.25/Moderate Traffic 0.35/Low Traffic 0.75/Very Low Traffic | 375.5 | 6.6 | 382.1 | 4.7% |
| Public/Institutional | - | 0.25 | 1,281.3 | 0.5 | <u>1,281.8</u> | <u>15.8%</u> |
| Golf Course | - | <0.01 | 560.1 | 0.0 | 560.1 | 6.9% |
| Fairgrounds | - | <0.10 | 146.4 | 0.0 | 146.4 | 1.8% |
| Total | | | 7,881.9 | 217.6 | 8,099.5 | 100.0% |

¹ Within the Medium- and High-Density Residential designation, existing residential units legally built in excess of the dwelling units per acre standard may be rebuilt at the same higher density subject to other zoning code standards. The allowable density or number of units to be redeveloped would be limited to the 1990 General Plan density with a 25% incentive bonus for Medium-Density or a 50% incentive bonus for High-Density; or the existing number of units, whichever is less.

² See High-Density Residential text regarding an area in North Costa Mesa where the density allowance is 25 to 35 DU/acre.

³ See Commercial Center text. ⁴ See Regional Commercial text. ⁵ See Urban Center Commercial text.

RESOLUTION NO. 05-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
COSTA MESA DENYING GENERAL PLAN AMENDMENT
GP-05-04 AND REZONE PETITION R-05-03 FOR 380 WEST
WILSON STREET**

THE CITY COUNCIL OF THE CITY OF COSTA MESA HEREBY RESOLVES AS
FOLLOWS:

WHEREAS, an application was filed by Mick Meldrum/ICI Development Company Inc., authorized agent for Harbor Center Partners, L.P. with respect to the real property located at 380 West Wilson Street, requesting approval to change the General Plan land use designation from High Density Residential to General Commercial and a rezone from R3 (Multiple Family Residential District) to C1-S (Shopping Center District); and

WHEREAS, the City Council of the City of Costa Mesa approved the General Plan screening request for the subject property on August 16, 2005; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on November 14, 2005; and

WHEREAS, a duly noticed public hearing was held by the City Council on December 6, 2005.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", and subject to the conditions contained in Exhibit "B", the City Council hereby **DENIES** GP-05-04 and R-05-03 with respect to the property described above.

PASSED AND ADOPTED this 6th day of December, 2005.

Mayor of the City of Costa Mesa

ATTEST:

APPROVED AS TO FORM:

Deputy City Clerk of the City of
Costa Mesa

City Attorney

Excerpt from the minutes of the Planning Commission meeting of November 14, 2005

GENERAL PLAN AMEND-
MENT GP-05-04/REZONE
PETITION R-05-03/PLAN-
NING APPLICATION
PA-05-22

ICI Development./Harbor Ctr.
Prts.

(a) GENERAL PLAN
AMEND-MENT GP-05-04
AND REZONE PETITION
R-05-03

Meldrum/Harbor Center Prtnrs.

Mick Meldrum/ICI Development Company Inc., for Harbor Center Partners L.P., to operate a recreational vehicle storage facility on a 1.49-acre parcel, located at 2300 Harbor Boulevard/380 West Wilson Street, currently in a C1-S and R3 zone. Environmental determination: Negative Declaration.

(a) GENERAL PLAN AMENDMENT GP-05-04/REZONE PETITION R-05-03 to change the General Plan land use designation from High Density Residential to General Commercial and to rezone from R3 (Multiple Family Residential District) to C1-S (Shopping Center District) for property located at 380 W. Wilson Street.

(b) PLANNING APPLICATION PA-05-22 for a master plan amendment and conditional use permit to operate a recreational vehicle storage facility with a variance from maximum wall height (6 feet maximum wall height allowed; 8-12 feet wall height proposed), for properties located at 2300 Harbor Boulevard in a C1-S zone and 380 W. Wilson Street in an R3 zone, (rezone request to C1-S pending).

Senior Planner Mel Lee reviewed the information in the staff report and gave a presentation. He said staff was recommending adoption of the Negative Declaration, and that Planning Commission recommend to City Council, approval of the general plan amendment and rezone petition by adoption of Planning Commission resolution.

Mick Meldrum, ICI Development Company, 2222 East 17th Street, Santa Ana, agreed to the conditions of approval.

Tamar Goldman, 2324 College Drive, Costa Mesa, said she favored the rezone and the storage business on this site. She requested that the garbage trucks not be allowed to go onto the site and that back-up beepers be forbidden in this area altogether.

There was discussion between the Chair and Mr. Lee regarding the use of back-up beepers at Home Depot as an issue during their application hearing.

Kathy Baquette, 2349 College Drive, Costa Mesa, said she also favors this project, however, she said condition of approval #11 (page 13 of staff report, #1.b.), states that customer access will end at 5 p.m. on Saturday. Mitigation measure #1 under "Noise" (page 15 of staff report #1.b.), noise from the construction equipment is allowed to continue until 7 p.m. on Saturday, which she also objected to. She said the hours for picking up the trash from the dumpsters were not covered in the report. She said television surveillance was mentioned, but nothing about an attendant was offered, and she wanted to know who would stop violators if there is revving of engines, or radios are playing loudly when people are at the wash racks, etc.

The Chair clarified Ms. Baquette's point regarding the hours of construction; he said once the construction is completed, it goes back to the conditions under normal operations. Ms. Baquette said she had hoped to get the construction hours reduced to 5 p.m.

Chris Lawrence, 380 Wilson Street, Costa Mesa, asked what the implications are to him. Mr. Lee explained that notice of tonight's public hearing was provided to all property owners within 500 feet of the subject property. The portion of the site that is to be rezoned in the General Plan Amendment is the vacant portion of the 380 West Wilson site and would not affect any existing developed residential properties.

Mick Meldrum, ICI Development, returned to the podium to address the issues raised by the previous speakers. He said they were successful in getting the beepers at the Home Depot store turned off on the forklifts, but not the trucks. He said he is not willing to accept responsibility to mandate that any tenants of this RV storage turn their beeper off because that would then render ICI Development liable of any accidents when they could have been prevented with that beeper. He said he would agree to a condition that the garbage trucks are not allowed in and would make arrangements for the dumpster to be moved outside of the sound gates so it can be picked up there. He said as far as the hours of operation for construction on Saturday, construction would not be conducted there on Saturdays. Regarding Ms. Baquette's question about having an attendant on site, Mr. Meldrum explained that they have done a good job at Harbor Center in putting signs back there asking everyone to be quiet. He said they aren't going to have a 24-hour attendant, but do have Harbor Center Security to help monitor this area and if there are violators, they will be noticed; there is also video surveillance to identify violators.

In response to a question from Commissioner Egan regarding how they regulate who uses the space, Mr. Meldrum stated each tenant will be signing a lease or rental agreement in order to access the site and will be given a gate entry card; they will know who checked in and at what time.

No one else wished to speak and the Chair closed the public hearing.

MOTION (a):
GP-05-04/R-05-03
Adopted Negative Declaration
Recommended to City Council

A motion was made by Commissioner Garlich, seconded by Chair Perkins and carried 5-0 to adopt the Negative Declaration and recommended to City Council approval of General Plan Amendment GP-05-04 and Rezone Petition R-05-03, by adoption of Planning Commission Resolution PC-05-73, based on information and analysis contained in the Planning Division staff report and findings contained in exhibit "A".

Mr. Lee said this item would be going to the City Council meeting of December 6, 2005.

(b) PLANNING

APPLICATION PA-05-22

Meldrum/Harbor Center Prtnrs.

Senior Planner Mel Lee reviewed the information in the staff report and gave a presentation. He said staff was recommending approval of the development by adoption of Planning Commission resolution, subject to conditions and mitigation measures.

In response to question from the Chair regarding staff's, or the Police Department's opinion on security issues, Mr. Lee stated that a condition of approval has been incorporated (page 12 of the staff report, condition of approval #5) and requires the applicant to prepare a security plan that would specifically identify the security measures the applicant proposes for this site.

Commissioner Garlich wished to clarify that in the recent past, the requirements are of a similar nature to public storage, which at one time required an onsite manager, and the code has now been changed so that some the new high-tech security techniques such as video surveillance are acceptable in this situation as well.

There was discussion between Commissioner Hall and the Chair regarding condition of approval of #5, that whatever lighting is required will not shine into the homes of the residents on College Avenue.

Mick Meldrum, ICI Development, returned to the podium to address issues. He said in response to the speaker and resident at 380 Wilson Street, the existing wooden fence between the two properties will be removed and replaced with an 8-foot block wall. The only area a 12-foot block wall is going in is between the site and apartment complex. He said they will not be opening up Wake Forest Drive which was a major concern to College Avenue residents and the business will be serviced through the back of Harbor Center.

Tamar Goldman, 2324 College Drive, Costa Mesa, returned to the podium and continued to discuss beepers, utilities, maneuverability of the RV's, and uses to be listed and restricted to those listed, as well as maintenance construction, for consideration by the Commission as conditions of approval.

Jim Gleason, 380 West Wilson, Costa Mesa, wished to know the estimated length of time for the construction of this project. He also asked if tenants and residents would have to confront issues of lighting security in relation to motion sensors, or lights that come on in the middle of the night, and if so, are they bright enough to disturb neighboring residents? Mr. Lee said standard condition of approval #1, Exhibit "C", page 14 under "Aesthetics" states that there will be no allowance for spillover light or glare

onto adjacent properties. Mr. Gleason asked how the rezone would affect the value of their homes. Mr. Lee explained that because this is a rezone of a residential property to a commercial property, he did not anticipate a change in property values as a result of this application.

Mr. Meldrum again returned to the podium and addressed the following issues. In response to the Chair regarding the issue of utilities, Mr. Meldrum explained that the wash rack, dump stations/trash area were originally designed to be located just inside and to the right of the gate. Planning staff recommended it be moved away from there, and rightfully so because the building just to the right of that, is the two-story apartment building with bedroom windows looking directly down on it. Because there would be some noise generated from there, it was agreed that it would be good to move it to the other end. There is a 14' wall between that and the neighbors on College Avenue. He did not believe moving it back near the gate is going to make the Sewell family very happy to have that back underneath their bedroom window. He said they believe they have placed it in the best location possible on site. He also did not believe it was going to be hard for anyone to maneuver on the site because its straight in and straight back and the same goes for the other end. He believed the expected length of construction (going into the rainy season), is approximately 60 days. The Chair confirmed with Mr. Meldrum that construction would not be conducted on Saturdays.

In response to question from Commissioner Egan regarding the fenced yard, Mr. Meldrum stated that this area is for ICI parking only.

No one else wished to speak and the Chair closed the public hearing.

MOTION (b):
PA-05-22
Approved

A motion was made by Chair Perkins, seconded by Commissioner Egan, and carried 5-0 to approve Planning Application PA-05-22, by adoption of Planning Commission Resolution PC-05-74, based on information and analysis contained in the Planning Division staff report and findings contained in exhibit "A", subject to conditions in exhibit "B" with the following modifications and additions:

Conditions of Approval:

18. There shall be no construction operations on Saturdays, Sundays and Federal Holidays during the construction phase of the project.
19. Garbage trucks are prohibited from entering the premises. The trash bin/dumpster shall be located at the gated entrance for collection.

During discussion on the motion, Commissioner Egan congratulated that applicant for coming up with use that's acceptable to the surrounding neighborhood and with something that is very much need in this City.



PLANNING COMMISSION

AGENDA REPORT

III.2A.

MEETING DATE: OCTOBER 10, 2005

ITEM NUMBER:

SUBJECT: GENERAL PLAN AMENDMENT GP-05-04 AND REZONE R-05-03
380 WEST WILSON STREET

DATE: SEPTEMBER 29, 2005

FOR FURTHER INFORMATION CONTACT: MEL LEE, AICP, SENIOR PLANNER
(714) 754-5611

PROJECT DESCRIPTION

The applicant is requesting approval to change the General Plan land use designation from High Density Residential to General Commercial and a rezone from R3 (Multiple Family Residential District) to C1-S (Shopping Center District) for property located at 380 West Wilson Street.

APPLICANT

The applicant is Mick Meldrum/ICI Development Company, Inc., representing Harbor Center Partners L.P., the property owner.

RECOMMENDATION

Adopt the negative declaration and recommend to City Council approval of the general plan amendment and rezone by adoption of the attached resolution.

A handwritten signature in black ink, appearing to read "Mel Lee".

MEL LEE, AICP
Senior Planner

A handwritten signature in black ink, appearing to read "R. Michael Robinson".

R. MICHAEL ROBINSON, AICP
Asst. Development Services Director

BACKGROUND

The subject site is approximately 0.37 acres in size, is designated High Density Residential by the General Plan, and zoned R3, Multiple-Family Residential. The site is bounded to the north by a vacant parcel, to the west by Harbor Center and to the south and northeast by low- and high-density residential developments. Wilson Park is located southeast.

ICI is proposing a recreational vehicle storage facility for the subject parcel and the vacant parcel to the north, which is zoned C1-S (Shopping Center District) and has a general plan land use designation of General Commercial. To accommodate the use, a general plan amendment and rezone are required for the portion of the site addressed as 380 West Wilson Street. City Council Policy 500-2 requires City Council screening of general plan amendments prior to their acceptance for formal processing. On August 16, 2005, City Council approved a general plan screening request for the property. A copy of the staff report for the screening application is attached to this report for reference.

On September 27, 2004, Planning Commission recommended approval to change the general plan land use designation from General Commercial and High Density Residential to Low Density Residential, and a rezone from C1-S (Shopping Center District) and R3 (Multiple Family Residential District) to PDR-LD (Planned Development Residential, Low Density) to accommodate a proposed 8-unit common interest development for Habitat for Humanity (General Plan Amendment GP-03-03 and Rezone R-03-01). The general plan amendment and rezone were denied by the City Council on October 18, 2004.

ANALYSIS

The proposed project requires the following discretionary planning approvals:

- 1) **General Plan Amendment GP-05-04** to change the general plan land use designation from High Density Residential to General Commercial.
- 2) **Rezone R-05-03** to change the zoning from R3 (Multiple Family Residential District) to C1-S (Shopping Center District).
- 3) **Planning Application PA-05-22¹** for a master plan amendment to operate a recreational vehicle storage facility on this site as well as the vacant parcel to the north. The proposed use will include the following: approximately 70 individual vehicle storage spaces; an enclosed outdoor area for incidental storage; a wash rack/dump station; and a storage container to house the video surveillance equipment for the facility and cleaning supplies. A

¹ PA-05-22 is discussed in a separate staff report

conditional use permit and a variance from maximum wall height requirements is also proposed.

General Plan Amendment

The existing High Density Residential general plan land use designation does not permit the proposed storage use, necessitating the requested amendment.

Under the R3 zoning and High Density Residential general plan designation for the site, the parcel can accommodate up to 7 residential units. Under State law, the City must justify the reduction in the amount of residential units as a result of a general plan amendment or rezone (Government Code Section 65863).

Since adoption of the City's Housing Element in January 2002, the City has taken the following actions that have increased the City's residential units by approving general plan amendments and zone changes to accommodate the following proposed residential projects:

1. The City approved the development of 145 condominiums at 1901 Newport Boulevard in 2004;
2. Approved a 20-unit expansion to a senior citizen single-room occupancy (SRO) hotel at 2072/2080 Newport Boulevard in 2001;
3. Approved the construction of 32 single family residential units at 330 and 340 West Bay Street in 2004;
4. Approved a residential development at 23rd Street and Orange Avenue for the construction of 25 single family residential units in 2004;
5. Approved the development of 10 residential units maximum at 2436 Newport Boulevard in 2004.

These five actions increased the City's potential housing stock by 232 units beyond the future inventory assumed in the City's 2002 Housing Element. Therefore, staff believes that the City may approve the general plan amendment for this site without violating state law.

Rezone

The existing R3 (Multiple Family Residential District) zoning for the subject site does not permit the proposed use, necessitating the proposed rezone. As is discussed in the general plan amendment section of this report, the rezone will result in a loss in dwelling unit potential as a result of the rezone (7 units). However, because an equivalent increase in housing is provided elsewhere in the City through other residential projects, no violation in state law will occur.

Other Issues

It is staff's opinion that the proposed general plan amendment and rezone are consistent with the following objectives of the City's 2000 General Plan Land Use Element:

Objective LU-1C: Promote land use patterns and development which contribute to community and neighborhood identity.

Objective LU-1F: Establish policies, standards, and procedures to minimize blighting influences and maintain the integrity of stable neighborhoods.

Specifically, the proposed project will provide new block walls ranging in height from 8 feet to 12 feet high, and will maintain the existing perimeter walls and landscape buffers constructed at the time Harbor Center was redeveloped, which is consistent with policies LU-1C.6 and LU-1F.1. Approval of the general plan amendment and rezone will allow the property to be developed with a use that will not be obtrusive to surrounding properties and uses. Additional discussion regarding the impacts of the proposed project on the surrounding properties is discussed in greater detail in the staff report for PA-05-22.

ENVIRONMENTAL DETERMINATION

In accordance with the California Environmental Quality Act (CEQA), an Initial Study was prepared for this project. Under CEQA guidelines, if the lead agency determines that there is substantial evidence that the project may have a significant effect on the environment an Environmental Impact Report (EIR) would be required to be prepared. If the lead agency determines that there is substantial evidence that the project could not have a significant effect on the environment, a Negative Declaration may be prepared.

The Initial Study/Negative Declaration (IS/ND) was prepared for the project. The (IS/MND) identified impacts that would be reduced to a level considered less than significant or no impact with appropriate conditions of approval and mitigation measures, if the project is approved. A copy of the Initial Study/Negative Declaration is attached to this report for reference. The Negative Declaration was made available for public review from September 19, 2005, to October 10, 2005, as required by CEQA.

ALTERNATIVES

The Planning Commission has the following alternatives:

1. Adopt the negative declaration and recommend City Council approve GP-05-04 and R-05-03, as recommended by staff; or

2. Recommend that City Council deny GP-05-04 and R-05-03. If the rezone and project are denied, the project as proposed under PA-05-22 cannot go forward and the applicant could not submit substantially the same project for six months.

CONCLUSION

It is staff's opinion that the proposed general plan amendment and rezone will be compatible with the uses in the surrounding area. Therefore, staff recommends approval of the project.

Attachments: Applicant's Project Description and Justification
 Draft Planning Commission Resolution
 Exhibit "A" - Draft Findings
 Exhibits "B" and "C" - Maps
 General Plan Screening Report
 Initial Study/ Negative Declaration

cc: Deputy City Manager - Dev. Svs. Director
 Sr. Deputy Attorney
 Assistant City Engineer
 Fire Protection Analyst
 Staff (4)
 File (2)

Mick Meldrum
ICI Development Company, Inc.
2222 E. 17th Street
Santa Ana, CA 92705

Harbor Center Partners, L.P.
2222 E. 17th Street
Santa Ana, CA 92705

| | | |
|-------------------------|--------------|-----------------|
| File: 101005GP0504R0503 | Date: 092905 | Time: 1:15 p.m. |
|-------------------------|--------------|-----------------|

PLANNING DIVISION - CITY OF COSTA MESA

DESCRIPTION/JUSTIFICATION

Application #: **GP-05-04/R-05-03** Environmental Determination: **NEG. DEC.**
Address:

380 Wilson

1. Fully describe your request:

Applying for a ^{General}~~Master~~ Plan Amendment and a Conditional Use Permit to operate an RV Storage Facility on the vacant property behind Home Depot at 2300 Harbor Blvd.

We wish to amend the General Plan to allow for 380 Wilson to be rezoned from R-3 to CI-S zoning.

2. Justification

A. For a Conditional Use Permit or Minor Conditional Use Permit: Describe how the proposed use is substantially compatible with uses permitted in the same general area and how the proposed use would not be materially detrimental to other properties in the same area.

B. For a Variance or Administrative Adjustment: Describe the property's special circumstances, including size, shape, topography, location or surroundings that deprive the property of privileges enjoyed by other properties in the vicinity under the identical zoning classification due to strict application of the Zoning Code.

3. This project is: (check where appropriate)

☐ In a flood zone.

☐ Subject to future street widening.

☐ In the Redevelopment Area.

☐ In a Specific Plan Area.

4. I have reviewed the HAZARDOUS WASTE AND SUBSTANCES SITES LIST published by the office of Planning and Research and reproduced on the rear of this page and have determined that the project:

☒ Is not included in the publication indicated above.

☐ Is included in the publication indicated above.

Signature

Date

March '96

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The criteria for rejecting an application are as follows:

1. The request applies to a single small lot or a small area, especially if the change would make the property inconsistent with surrounding properties.
2. The property is located in the Redevelopment Area and requires action by the Redevelopment Agency to amend the Redevelopment Plan.

In addition to the above criteria, the policy also states that no request shall be accepted that would increase the overall, citywide development cap. It does, however, allow amendments that would result in development exchanges or transfers to be considered. The policy also acknowledges that these criteria are only guidelines and City Council may accept an application which does not meet the criteria if it finds there are overriding reasons to do so.

ANALYSIS

Project Summary Description

A one-page, project summary sheet is attached for each screening request. This summary sheet provides the following information:

- Project Description
- Vicinity Map
- Justification for approval based on a preliminary traffic and land use analysis

The applicant's letter of justification is also attached following each summary sheet.

Traffic Analysis Required

While a preliminary traffic evaluation was completed for each screening request, a detailed traffic analysis with the project-specific environmental review is required at the time of project submittal.

In consultation with the Transportation Services Manager, the traffic analysis for each development project would generally include, where applicable, the following information:

- Pedestrian and vehicle circulation plan.
- Analysis of any increased traffic in relation to existing and projected traffic levels.
- Comparison of directional trip characteristics for residential versus commercial or industrial uses.
- Trip generation characteristics of residential condominiums in mixed-use zones.

Concurrent Processing of North Costa Mesa High-Rise Residential Amendments

GPS-05-03 (The Lakes Pavilions Retail Center) and GPS-05-05 (Segerstrom Town Center) involve a request for high-rise residential projects in North Costa Mesa. City Council has approved similar requests for the Pacific Arts Plaza (December, 2004), and

It is important to note that the development proposals for each screening request will be subject to environmental analysis in the form of a mitigated negative declaration or environmental impact report. Furthermore, acceptance of the screening request does not set precedent for approval nor constitute the approval of a development project. The approval of a screening request strictly allows the applicant to further research/develop the proposal and provide City Council with an opportunity to review the relative merits of the project in greater detail prior to final action.



CLAIRE L. FLYNN, AICP
Senior Planner



R. MICHAEL ROBINSON, AICP
Asst. Development Services Director



DONALD D. LAMM, AICP
Deputy City Mgr. – Dev. Svs. Director

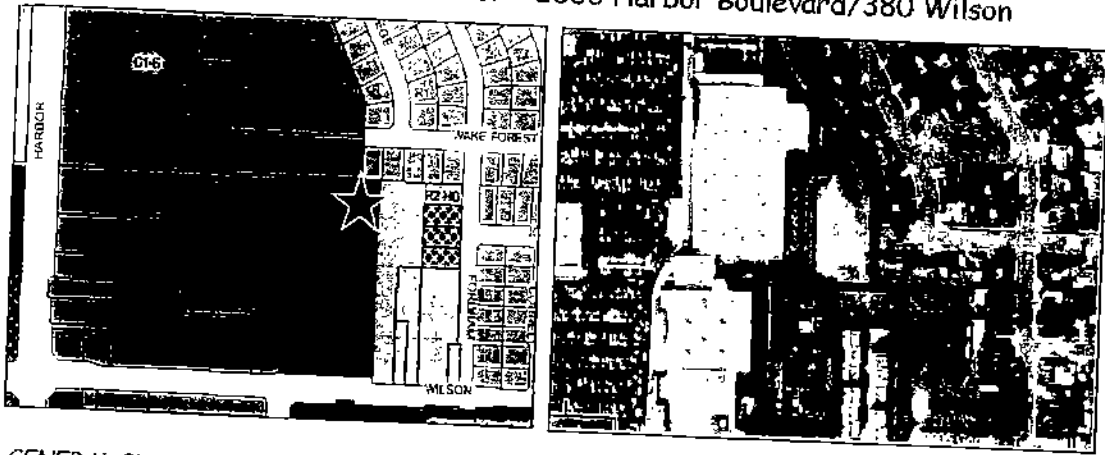
- Attachments:
1. Segerstrom Town Center (Summary Sheet, Site Photos, Applicant Letter)
 2. Lakes Retail Center (Summary Sheet, Site Photos, Applicant Letter)
 3. Jabsco Industries Site (Summary Sheet, Site Photos, Applicant Letter)
 4. Harbor Center (Summary Sheet, Site Photos, Applicant Letter)

cc: City Manager
Assistant City Manager
City Attorney
Public Services Director
Peter Naghavi, Transportation Svs. Mgr.
Kimberly Brandt, Principal Planner
City Clerk
Staff (4)
File (2)

File: 08165GPSReq

Date: 080105

Time: 4:15 p.m.



GENERAL PLAN SCREENING REQUEST

The General Plan screening request is to change the land use designation of the 0.36 acre parcel at 380 W. Wilson from High Density Residential to General Commercial. This would allow this parcel to be combined with the larger, 1.12 acre undeveloped parcel behind Home Depot. If the General Plan amendment is approved, the applicant proposes to submit a Master Plan application for a mini-storage facility with access from Harbor Center and/or Wilson Street.

LAND USE ANALYSIS

Undeveloped property located at 2300 Harbor Boulevard (1.12 acre) and 380 W. Wilson (0.36 acre) is approximately 1.49 acres (combined) in size with irregular dimensions. The 0.36-acre parcel is located adjacent to Wilson Park, designated High Density Residential, and zoned R3, Multiple-Family Residential. The change to a General Commercial land use designation is considered compatible to the existing residential and commercial land uses. The new designation would allow the property to be combined with the larger commercial parcel. Furthermore, the applicant proposes a mini-storage use which would not involve opening Wake Forest Road or exposure of future residential development to noise disturbances from Home Depot.

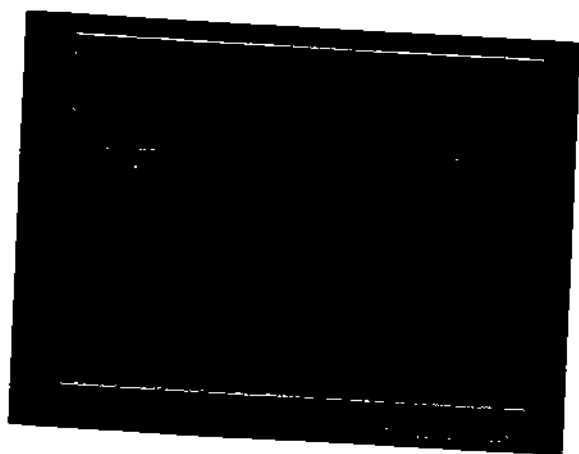
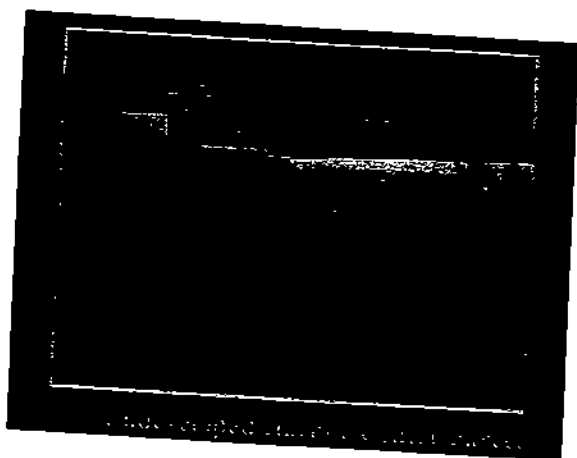
TRAFFIC ANALYSIS

A preliminary traffic analysis indicates that there will be an insignificant increase to the site's average daily trip generation, and this would not adversely impact the circulation system. The existing land use designation (70 ADT for seven residential units) and the proposed General Commercial designation (approx. 164 ADT for commercial building) will result in a minor, incremental increase in vehicle trips. Detailed traffic analysis will be completed at the time of project submittal, and the findings be verified/evaluated in the appropriate CEQA document.

JUSTIFICATION FOR ACCEPTANCE OF SCREENING REQUEST

Staff recommends acceptance of the General Plan screening request for the following reasons:

1. Commercial designation is consistent with the historic commercial use of the adjacent site. The proposed General Plan amendment would allow the residual 0.37-acre parcel at 380 Wilson to be combined with the 1.12 acre parcel and developed as a commercial site. The Harbor Center site has been zoned as C1-S since 1958. Previous zoning classifications in the early 1940s-1950s included Local Business District and Agricultural District. Even prior to the redevelopment of the center, Harbor Center has historically been a major commercial destination and currently provides approximately 315,000 sq.ft. of commercial uses including four major tenants (e.g. Home Depot and secondary support retail and restaurant uses.)
2. Low-intensity commercial development will maintain "noise buffer" for College Park neighborhood. If developed with a low-intensity commercial use (e.g. mini-storage facility), this area will continue to serve as a buffer between the shopping center and neighboring College Park residential community. In addition, redesignation of the High Density Residential parcel to General Commercial would prohibit residential development on a site documented with noise disturbances from Home Depot.
3. Proposal satisfies General Plan Screening Criteria #2. This criteria suggests that a General Plan amendment is necessary to provide a uniform land use designation on a single parcel. Since the applicant's intent is to combine the residual 0.37-acre parcel with the larger 1.12-acre commercial parcel, this request would satisfy criteria #2 by creating a General Commercial land use designation for the entire, undeveloped parcel.
4. Project complies with General Plan Objective HOU-3.6. This objective requires consideration of potential impacts on housing when reviewing rezone petitions affecting residential properties. The existing R3 zoning for this parcel allows the construction of 7 units. Since the adoption of the City's General Plan, several commercial properties have been rezoned to medium-density residential (e.g. Daily Pilot site, 2436 Newport Boulevard), and these proposed units would result in a net increase of over 30 single-family homes in the City. Thus, given other development activity/rezone applications in the city, the project will not result in a loss of dwelling units in the City's housing stock.



CITY OF COSTA MESA PLANNING APPLICATION

PROJECT DESCRIPTION AND JUSTIFICATION

1. **Project Address:** 380 Wilson
2. **Fully describe your request:** We wish to amend the General Plan to allow for 380 Wilson to be rezoned from R-3 to C1-S zoning.
3. **Justification:**
 - A. **For a Conditional Use Permit or Minor Conditional Use Permit:** On a separate sheet, describe how the proposed use is substantially compatible with uses permitted in the same general area and how the proposed use would not be materially detrimental to other properties in the same area.
 - B. **For a variance or Administrative Adjustment:** On a separate sheet, describe the property's special circumstances, including size, shape, topography, location or surroundings that deprive the property of privileges enjoyed by other properties in the vicinity under the identical zoning classification due to strict application of the Zoning Code.
4. **This project is: (check where appropriate)**

| | |
|--|---|
| <input type="checkbox"/> In a flood zone. | <input type="checkbox"/> In the Redevelopment Area. |
| <input type="checkbox"/> Subject to future street widening. | <input type="checkbox"/> In a Specific Plan Area. |
| <input type="checkbox"/> Includes a drive-through facility. (Special notice requirements, pursuant to GC Section 65091 (d)) | |
5. **I have reviewed the HAZARDOUS WASTE AND SUBSTANCES SITES LIST reproduced on the rear of this page and have determined the project:**
☒ **Is not included in the publication indicated above.**
☐ **Is included in the publication indicated above.**

Signature

Date

6-13-05



CITY OF COSTA MESA

P.O. BOX 1200 • 77 FAIR DRIVE • CALIFORNIA 92628-1200

DEVELOPMENT SERVICES DEPARTMENT

**FOR ATTACHMENTS NOT INCLUDED IN THIS
REPORT, PLEASE CONTACT THE CITY CLERK'S
OFFICE AT (714) 754-5121**